

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 32 and 52 have been canceled.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 28-31, 33-51, and 53-55 are now pending in this application.

Rejections under 35 U.S.C. § 112

Claims 32 and 52 are rejected under 35 U.S.C. § 112, first paragraph, for not meeting the enablement requirement. Claims 32 and 52 have been canceled. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 30-34, 52, and 53 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant submits that amendments to claims 30, 33, 34, and 53 render this rejection moot. Claims 43, 46, 49, and 54 have also been amended to comply with U.S. practice. Reconsideration and withdrawal of this rejection is respectfully requested.

Rejection under 35 U.S.C. § 102

Claims 28-31, 33-35, 37, 39-41, 45-47, 51, and 53-55 are rejected under 35 U.S.C. § 102(b) as being anticipated JP 2001-171468 to Yamada (hereafter “Yamada”). This rejection is respectfully traversed.

Claim 28 recites a passenger protecting system, comprising a gas generator; and a gas bag including an envelope portion and a filling channel with a narrow portion which extends along a predefined deployment direction, wherein the narrow portion has a length greater than a width, wherein the system is configured so that inflation gas from the gas generator directly

enters the filling channel; wherein at least part of the envelope portion is inserted into the narrow portion of the filling channel; wherein the part of the envelope portion that is inserted into the narrow portion of the filling channel is folded together in a middle of the part to form a U-shaped pack that is inserted into the narrow portion of the filling channel. Claims 29-31, 33-35, 37, 39-41, and 45-47 depend from claim 28. Claims 51 and 55 include similar language. Claims 53 and 54 depend from claim 51.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2D 1051, 1053 (Fed. Cir. 1987). See generally M.P.E.P. § 2131.

Yamada discloses an air bag 17 that includes an upper expansion part 27 that is folded into a lower expansion part 28. See abstract and Figure 8 of Yamada. Radial folds P are then provided so that the air bag 17 is folded inward. See abstract and Figures 8 and 9 of Yamada. However, Yamada does not disclose a passenger protection system or method, “wherein the part of the envelope portion that is inserted into the narrow portion of the filling channel is folded together in a middle of the part to form a U-shaped pack that is inserted into the narrow portion of the filling channel,” as recited in claim 28. Claims 51 and 55 include similar language.

The Office, noting Figure 8 and paragraph 0053 of Yamada, argues that Yamada discloses a gas bag with a part of an envelope portion that is inserted into a narrow portion of a filling channel of the gas bag, with the part of the envelope portion folded together in a middle to form a U-shaped pack that is inserted into the narrow portion of the filling channel. However, as shown in Figure 8, Yamada only discloses that a part 27 of the air bag 17 is inserted back into the air bag 17 and the air bag 17 is then folded at folds P using a fold angle theta (Θ). Yamada does not disclose that a part of the air bag 17 is folded together in a middle to form a U-shaped pack that is inserted into a narrow portion of a filling channel, as recited in claims 28, 51, and 55. Therefore, Yamada does not anticipate claims 28, 51, and 55 because Yamada fails to disclose all of the features of these claims.

Claims 34 and 54

Claim 34 depends from claim 28 and claim 54 depends from claim 51, and are thus allowable over Yamada for at least the reasons discussed above. Claim 34 further recites “wherein the part of the envelope portion that is inserted into the narrow portion is zigzag-folded, pleated and/or rolled together at an end of the envelope facing away from the filling channel to form a zigzag-folded, pleated and/or rolled together envelope pack, wherein the envelope pack is folded together at least once to form the U-shaped pack.” Claim 54 includes similar language.

Yamada does not disclose that a part of the air bag 17 is zigzag-folded, pleated, and/or rolled to form an envelope pack that is folded together at least to form the U-shaped pack of claim 28 or 51. As shown in Figure 8, Yamada discloses that a part 27 of an air bag 17 is inserted without folding, pleating, or rolling into a lower part 28 of the air bag 17, which is then folded. Yamada does not disclose that the part 27 inserted into the lower part 28 is zigzag-folded, pleated, and/or rolled to form an envelope pack that is also folded together in a middle to form a U-shaped pack. Therefore, Yamada does not anticipate claims 34 and 54 because Yamada does not disclose all of the features of these claims.

Reconsideration and withdrawal of this rejection is respectfully requested for at least the reasons discussed above.

Rejections under 35 U.S.C. § 103

Claims 36 and 38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada in view of U.S. Patent No. 5,586,782 to Zimmerman, II *et al.* (hereafter “Zimmerman”). This rejection is respectfully traversed. Zimmerman fails to remedy the deficiencies of Yamada discussed above in regard to independent claim 28, from which claims 36 and 38 depend. Reconsideration and withdrawal of this rejection is respectfully requested.

Claims 42, 44, and 48-50 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada in view of GB 2 318 767 to Garret *et al.* (hereafter “Garret”). This rejection is respectfully traversed. Garret fails to remedy the deficiencies of Yamada discussed above in

regard to independent claim 28, from which claims 42, 44, and 48-50 depend.

Reconsideration and withdrawal of this rejection is respectfully requested.

Claim 43 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamada and Garret as applied to claim 42, and further in view of WO 98/56622 to Pausch *et al.* (hereafter "Pausch"). This rejection is respectfully traversed. Pausch fails to remedy the deficiencies of Yamada and Garret discussed above in regard to independent claim 28, from which claim 43 depends. Reconsideration and withdrawal of this rejection is respectfully requested.

Conclusion

Applicant submits that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

JUL 10 2008

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